

Filed 08/03/2004

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**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GOVERNMENT'S MOTION REGARDING SUGGESTED INDIGENCY AND MOTION TO REOPEN EVIDENCE

The United States of America respectfully moves this Court to review Defendant's financial records suggesting indigency, thereby making him eligible for a court appointed attorney. The government submits that financial records it has received make it unclear as to whether the Defendant is eligible for a court-appointed attorney and relies on the attached affidavit of Special Agent Gregory Nevano as the basis for this motion.

Furthermore, the government requests the Court to reopen the evidence in this matter regarding the issue of pre-trial detention. Since the initial detention hearing, the government has reviewed the Defendant's financial records and has uncovered evidence that the Defendant was untruthful when he was interviewed by pre-trial services. Relative to the issue of detention, the government requests that the Court consider the attached affidavit and further testimony of Special Agent Gregory Nevano in its estimation of risk of flight.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

~~KIMBERLY P. WEST
JOHN WORTMANN
Assistant U.S. Attorneys~~

Date: August 3, 2004

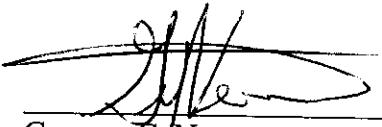
CERT OF SERVICE

101 or 102
I certify this motion and attached
affidavit were delivered in hand to
counsel for defendant, MIRIAM COOPER on 8/3/04.
KMC WEST

AFFIDAVIT OF SENIOR SPECIAL AGENT GREGORY C. NEVANO

I, Gregory C. Nevano, having been duly sworn, do hereby dispose and state as follows:

1. I am a Senior Special Agent with the Bureau of Immigration and Customs Enforcement (“ICE”), formerly the Immigration and Naturalization Service (“INS”).
I have been employed with ICE since 1991, and have conducted several criminal investigations involving immigration fraud. I am presently assigned to the Joint Terrorism Task Force (“JTTF”) within the ICE Boston, Massachusetts Field Office.
2. I am the case agent assigned to the investigation of Mohamad Hamade.
3. As a result of the detention hearing on July 30, 2004, I was requested to review credit card accounts associated with the Mohamad Hamade. I have reviewed five such accounts. The accounts were opened between May, 2000 and June, 2001. The lowest balance on the accounts is zero and the highest is \$17.49
4. I have also reviewed records from Charter One Bank. Three accounts held in the name of Atlantis Import and Export, Mohamad Hamade presently reveal over \$50,000 in cash in the accounts.
5. Additionally, I was present on July 30, 2004 when Naomi DeChristopher, the defendant’s wife, indicated to the Court that she owned her home and owed approximately \$100,000 on the mortgage but it was worth about \$160,000, leaving \$60,000 in equity.



Gregory C. Nevano
Senior Special Agent

DATE: August 3, 2004